

MESSAGE NO: 0187202 MESSAGE DATE: 07/05/2000

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-122-804

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 09/01/1998 TO 08/31/1999

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQ INSTRUCTIONS FOR NEW STEEL RAIL, EXCEPT LIGHT RAIL, FROM CANADA
(A-122-804)

MESSAGE NO: 0187202

DATE: 07 05 2000

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 122 - 804

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PERIOD COVERED: 09 01 1998 TO 08 31 1999

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: LIQ INSTRUCTIONS FOR NEW STEEL RAIL, EXCEPT LIGHT RAIL,
FROM CANADA (A-122-804)

1. THE DEPARTMENT OF COMMERCE NO LONGER AUTOMATICALLY CONDUCTS

ADMINISTRATIVE REVIEWS OF ANTIDUMPING DUTY FINDINGS/ORDERS.

INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION
351.213(b) OF THE COMMERCE REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN
ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY FINDING/ORDER FOR
THE

PERIODS AND ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE FIRMS NOTED. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF THE COMMERCE DEPARTMENT REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES

ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION

AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY

SUMMARY.

NEW STEEL RAIL, EXCEPT LIGHT RAIL

FROM CANADA

PERIOD

A-122-804

LIQUIDATE ALL ENTRIES FOR ALL FIRMS 09/01/1998-08/31/1999

3. THESE INSTRUCTIONS CONSTITUTES THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIODS LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT ENTRIES OF THE SUBJECT MERCHANDISE AT THE CURRENT RATES.

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS AND ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE

THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT DESCRIBED IN

SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS.
THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO
LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS
AN
AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES,
CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH
THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER
DOES NOT RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE
REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATIONS, CUSTOMS SHOULD
PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS
OFFICERS PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE
SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISONS, USING
ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND INTERESTED PARTIES
SHOULD CONTACT THE ANALYST IN CHARGE OF THE CASE ON (202)
482-4737,
AD/CVD ENFORCEMENT, INTERNATIONAL TRADE ADMINISTRATION,
DEPARTMENT OF COMMERCE.

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

PAUL SCHWARTZ

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party